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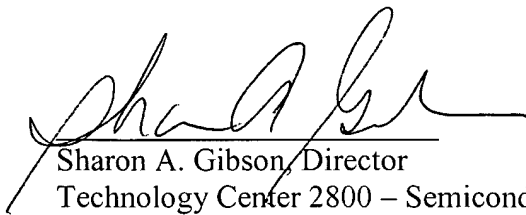
In re Application of Tyler A. Lowrey :
Application no. 10/020,757 : DECISION ON PETITION
Filed: 30 October 2001 :
Attorney Docket No. ITO.0513US (P13341) :

This is a decision on the petition filed under 37 C.F.R. §1.181 on July 8, 2003, to invoke the supervisory authority of the Director of the USPTO to review the action of the examiner in the above-identified application. The petition is before the Director of Technology Center 2800 for review.

The petition is **GRANTED** to the extent indicated below.

It is the petitioner's position that independent claims thirty-seven and forty-four are not directed toward independent species in contrast to claim one as indicated in the Final Rejection mailed 21 April 2003. We agree with the petitioner's position.

The application will be remanded back to the examiner. The restriction requirement issued upon claims thirty-seven, forty-four and their dependant claims will be removed and the claims will be examined by the Office.



Sharon A. Gibson, Director
Technology Center 2800 – Semiconductors, Electrical and
Optical Systems and Components